



**Town of Walpole
Commonwealth of Massachusetts
Zoning Board of Appeals**

John Lee, Chairman
Susanne Murphy, Vice Chair
Robert Fitzgerald, Clerk
Mary Jane Coffey, Member
Rick Merrikin, Member
Drew Delaney, Assoc. Member

FILE

DECISION – BOARD OF APPEALS CASE NO. 06-19

APPLICANT

**BH Brightview New Pond Village, LLC
c/o Benchmark Senior Living Facility**

LOCATION OF PROPERTY INVOLVED:

**160 & 170-180 Main Street, Walpole, MA
Walpole Assessors Map 19, Parcel 13 & Map 14, Parcel 87**

The Board finds that the Applicant at the request of the Building Inspector/Zoning Enforcement Officer filed for a Modification of the existing SPECIAL PERMIT initially granted in Case No. 51/86 and subsequently modified by Case Nos. 6/87, 41/88, 49/91 and 36/93. The Applicant desires to update its facility at New Pond Village and has filed for Site Plan Approval with the Planning Board and received an Order of Conditions from the Conservation Commission. In reviewing the plans submitted with the above, the Zoning Enforcement Officer determined that though the project complies with the existing Special Permit as modified above, the Zoning By-Law has changed to the extent that it is desirable for the Conditions of the Special Permit to follow the current language of the By-Law. As such, the Applicant was directed to file for a Modification of the existing Special Permit notwithstanding that there is no increase in the total number of allowed number of units or other trigger that requires a new Special Permit. Accordingly, the Board finds that three votes are appropriate to bring the existing Special Permit into line with the current Zoning By-Law.

On March 3, 2019, June 19, 2019, and July 17, 2019 a Public Hearing was held, in the Main Meeting Room of Town Hall, for the purpose of receiving information and voting upon a decision as to granting of the Special Permit requested. The members who were present and voting:

Susanne Murphy, Vice Chair
Robert Fitzgerald, Clerk
Mary Jane Coffey, Member
Rick Merrikin, Member
Drew Delaney, Associate Member

135 School Street, Walpole, MA 02081

FIRST VOTE OF THE BOARD:

A motion was made by Mr. Fitzgerald and seconded by Ms. Coffey, that the Board grant a modification of the Special Permit granted in Case No. 51/86, as amended by the Special Permits granted in Case Nos. 6/87, 41/88, 49/91 and 36/93, to allow the redevelopment of the Residential Care Continuum ("RCC") known as New Pond Village as shown on the plan entitled: "Site Development Plans for Proposed Building Additions New Pond Village," ("Plan") prepared by Bohler Engineering, dated February 2, 2019 last revised June 7, 2019.

The vote was 5-0-0 in favor; therefore, the requested Modification is hereby granted subject to the following conditions:

1. The RCC shall have a skilled nursing facility with up to 90 beds.
2. The RCC shall have an independent/assisted living facility consisting of up to 250 units in multiple buildings. The Applicant may adjust the numbers and locations of the independent and assisted units as it deems appropriate, provided, however that not more than 233 units may be independent living units at any given time.
3. The RCC may include facilities for all social, educational wellness, counseling, recreational outreach, other activities, and ancillary services as defined in Section 14 of the bylaw as the Applicant deems appropriate.
4. If the definition of a RCC changes in the Bylaw to add any additional facilities, services, activities, etc., the Applicant may apply to this Board to have the same included under this Special Permit by way of a minor modification.
5. Signage shall be as shown on the Plan.
6. The Order of Conditions issued by the Walpole Conservation Commission as DEP # 315-1199 shall be incorporated by reference into this decision. If said Order of Conditions is modified, any such modification shall be incorporated by reference and the most current Order issued by the Conservation Commission shall control for the purposes of this Decision.
5. This modification of Special Permit 51/86 shall supersede the original grant as well as the Special Permits granted in Case Nos. 6/87, 41/88, 49/91 and 36/93. This Permit shall be the controlling document once it is recorded at the Norfolk Registry of Deeds and all conditions and approvals previously granted shall be superseded and no longer control the development or use of the RCC.
6. Site Plan jurisdiction changed from the Zoning Board of Appeals to the Planning Board after the RCC received Site Plan Approval. Accordingly, the Applicant filed for a new Site Plan Approval, which shall become the controlling Site Plan for the RCC when the same is granted by

the Planning Board at which time all Site Plan Approvals granted by the Zoning Board shall become null and void.

REASONS FOR DECISION

It is the finding of the Board that the Application to modify the existing RCC met the requirements of the Zoning By-laws. The Board finds the Applicant properly applied for all relief necessary in accordance with the Zoning By-Laws for this project as confirmed by the Building Commissioner/Zoning Enforcement Officer. The Board finds that the project is in character with and follows the intent of the By-Laws for a RCC pursuant to Section 10-A(2). Accordingly, the Board has determined that the requested Special Permit Modification is warranted.

FURTHER FINDINGS

1. Section 2: Administration, 2. Special Permits, A. Finding and Determination required that:

Special Permits may be granted by the Board of Appeals and the Planning Board (the Special Permit Granting Authority or "SPGA"), as provided in this Bylaw, only for uses which are in harmony with the purposes and intent of this Bylaw and which shall be subject to any general or specific rules prescribed herein and to any appropriate conditions, safeguards, and limitations on time and use.

The Board finds that the requested modification of the Special Permit granted in Case No. 51/86 brings the allowed uses more in line with the current definition of RCC under the Bylaw and provides necessary flexibility in the breakdown of independent vs. assisted units within the maximum allowed number of 250 units. As conditioned above, New Pond Village will remain fully within the intent of the By-Law. The Board also notes that New Pond Village is the only RCC in Walpole and has operated for over thirty (30) years as a key participant in the Walpole community. The Board Voted separately on the parking reduction and non-conformity both of which will be addressed below.

2. Section 2: Administration, 2. Special Permits, B. Finding and Determination required that:

Prior to granting a Special Permit, the SPGA shall make a finding and determination that the proposed use, building, structure, sign, parking facility or other activity which is the subject of the application for the special permit:

- (a) *does and shall comply with such criteria or standards as shall be set forth in the section of this Bylaw which refers to the granting of the requested special permit;*

The Board finds that the proposed use is in harmony with the purposes and intent of the Bylaw and the proposed redevelopment is designed to modernize the campus and provide the residents of New Pond Village with a better quality of life. The addition to the existing building is designed to blend into the existing structure and is not expected to be visible from Main Street. From the front of the property the cottages are blocked from view by the

existing building. From the rear (New Pond and Bullard Street sides) they are situated well below the elevation of the existing building in a low area. The land actually slopes upwards from the elevations of the first floor. The Board notes that some of the existing evergreens planted along the rear driveway will have to be removed. However, the Applicant will provide a new line of evergreens around the rear of the cottages to maintain or enhance the existing screening effect. As the natural slope of the ground is approximately six feet (6') higher than the first floor of the cottages, this new line of evergreens is expected over time to provide as much or more screening as currently exists. They have been designed to provide a small number of residents with an independent living opportunity within the RCC not otherwise found in the main building as a transition from living in a house to living in the New Pond Village community. Therefore, the Board finds that the proposed redevelopment is in harmony with the general character of the neighborhood.

- (b) shall not have vehicular and pedestrian traffic of a type and quantity so as to adversely affect the immediate neighborhood;***

The Board finds that there is no increase in traffic anticipated with the redevelopment, as the overall unit count will remain at or below the 250 units currently approved. In addition, it should be noted that under the proposed use, fifteen (15) of the AL units will be designated memory care units and those residents will not have cars. Finally, the current traffic at New Pond Village is largely self-contained and focused on Main Street. As such, there is no adverse effect on the immediate neighborhood and this condition is satisfied.

- (c) shall not have a number of residents, employees, customers, or visitors, so as to adversely affect the immediate neighborhood;***

The Board finds that the RCC is permitted for 250 independent and assisted living units. The Applicant wishes to maintain its allowed number of units, but in order to have a more coherent Special Permit requests the modification as set forth above to clarify its ability to adjust the units within the allowed 250 as licensing, health, safety, and demand change the makeup of its population and the physical layout of the units. The redevelopment stays within the units allowed in Case No. 51/86. The facility has been in operation for over 30 years with no issues. Therefore, the Board finds that there is unlikely to be an adverse effect to the neighborhood as a result of the Project.

- (d) shall comply with the dimensional requirements applicable to zoning district in which the premises is located, including, without limitation, the applicable lot coverage and buffer zone requirements in Section 5-G;***

The Board finds that the project complies with all applicable dimensional requirements, to include lot coverage and buffer zones, with the exception of parking stall depth. The Applicant requested relief for the parking stall depth which is addressed separately below.

- (e) shall not be dangerous to the immediate neighborhood of the premises through fire, explosion, emission of wastes, or other causes;***

The proposed expansion of the main building and construction of four duplex standalone buildings are residential in nature, and therefore the Board finds that the proposed project is unlikely to cause any danger to the immediate neighborhood of the premises through fire, explosion, emissions of wastes or other causes.

- (f) *shall not create such noise, vibration, dust, heat, smoke, fumes, odor, glare or other nuisance or serious hazard so as to adversely affect the immediate neighborhood;***

The Board finds that the proposed use is residential in nature noting that the redevelopment is expected to be solely assisted living units and independent living units. Accordingly, there is nothing being used, generated or otherwise that would create such noise, vibration, dust, heat, smoke, fumes, odor, glare or other nuisance or serious hazard so as to adversely affect the immediate neighborhood.

- (g) *shall not adversely affect the character of the immediate neighborhood; and***

The Board finds that the immediate neighborhood is a mix of wetlands, businesses along Main Street, and residential neighborhoods to either side of New Pond Village. As shown on the plans, the expansion of the main building and construction of the four (4) cottages are well buffered from all sides. It is anticipated that the addition to the existing building will not be visible from the street. The cottages will be significantly lower than the existing building and a new evergreen screen will be planted at a higher elevation than presently exists, which will provide a significant if not total screen to the cottages over time. In accordance with the previously approved Special Permit and Site Plan, there is no access to or from Bullard Street other than for emergency use. Accordingly, the RCC has little to no impact with respect to the character of the immediate neighborhood. As such, the upgrade of the existing facility has no adverse effect on the immediate neighborhood.

- (h) *shall not be incompatible with the purpose of the zoning Bylaw or the purpose of the zoning district in which the premises is located.***

The Board finds that the RCC Bylaw states in part:

“To provide a continuum of residential alternatives for the aged, chronically ill, or disabled with the particular goal of assisting them better to cope with their particular limitations and to lead a productive existence, through the provision of appropriate care, rehabilitation, psychological counseling, and educational programs.

To provide a type of housing which reduces residents' burdens on property maintenance and which minimizes demands on municipal services; and to promote flexibility in land use planning in order to improve site layouts, protection of natural features and environmental values and utilization of land in harmony with neighboring properties.”

It then requires the minimum lot acre to be twenty-five acres and that the same “lie wholly within the Residential-B (RB) or General Residential (GR) district or may be part of both.”

Given the stated purpose of the Bylaw and land requirements, there are very few areas within Walpole that can be used for a RCC. New Pond Village is currently the only RCC in the Town. The proposed upgrade and redevelopment of the RCC squarely falls within the purpose of the Bylaw to provide a continuum of care and minimize demands on municipal services, and provide flexible land use planning. Therefore, the Board finds that the proposed project is consistent with the purpose of the By-Law.

SECOND VOTE OF THE BOARD:

A motion was made by Mr. Fitzgerald and seconded by Ms. Coffey, that the Board grant a Special Permit pursuant to Section 8(4)(C) to allow a reduction in required parking at the Site to 295 spaces (as a minimum).

The vote was 5-0-0 in favor; therefore, the requested Modification is hereby granted subject to the following conditions:

1. The Applicant shall maintain at least 295 on-site parking spaces. The Applicant may adjust the overall parking count between the maximum allowed parking under the Zoning By-Law and a minimum of 295 spaces as conditions on-site dictate. Any adjustment may require limited or full site plan approval per the determination of the Zoning Enforcement Officer.
2. In no instance shall any parking be allowed to overflow onto Main Street.

REASONS FOR DECISION

It is the finding of the Board that the existing Special Permit allows the Applicant to have 295 on-site parking spaces. The Applicant wishes to maintain its approval for 295 spaces but, having consulted with the Zoning Enforcement Officer, wishes to clarify that 295 is a minimum number rather than an exact count. The Board finds the Applicant properly applied for all relief necessary in accordance with the Zoning By-Laws for this project as confirmed by the Building Commissioner/Zoning Enforcement Officer. The Board finds that the parking is in character with and follows the intent of the By-Laws for a RCC pursuant to Section 10-A(2). However, the current By-Law specifically identifies a Special Permit under Section 8(4)(c) as the appropriate mechanism to allow less than the required parking. Accordingly, the Board has determined that the requested Special Permit under Section 8(4)(c) is warranted rather than simply modifying the Special Permit granted in Case No. 51/86.

FURTHER FINDINGS

1. Section 2: Administration, 2. Special Permits; A. Finding and Determination required that:

Special Permits may be granted by the Board of Appeals and the Planning Board (the Special Permit Granting Authority or "SPGA"), as provided in this Bylaw, only for uses which are in

harmony with the purposes and intent of this Bylaw and which shall be subject to any general or specific rules prescribed herein and to any appropriate conditions, safeguards, and limitations on time and use.

The Board finds that the Special Permit granted in Case No. 51/86 fixes the number of on-site parking spaces at 295. As it stands now, the Special Permit is silent as to allowing the RCC to install more parking if it deems the same to be appropriate. The Board notes that as presented during the public hearing, parking demands in both number and location of spaces have shifted since the late 1980s. Given that parking has adequately functioned on-site for over thirty (30) years, the Board finds that the Applicant meets all criteria for a Special Permit pursuant to Section 8(4)(C) as set forth below.

2. Section 2: Administration, 2. Special Permits, B. Finding and Determination required that:

Prior to granting a Special Permit, the SPGA shall make a finding and determination that the proposed use, building, structure, sign, parking facility or other activity which is the subject of the application for the special permit:

- (a) *does and shall comply with such criteria or standards as shall be set forth in the section of this Bylaw which refers to the granting of the requested special permit;*

The Board finds that the proposed use is in harmony with the purposes and intent of the Bylaw as, in fact, in modifying the language of the Special Permit, the Board would be clearly identifying the relevant sections of the Bylaw and tracking the current language for off-street parking reductions. Note, the current parking requirement pursuant to Section 10A of the Bylaw is a minimum, not a maximum. Therefore, the Board finds that the proposed redevelopment is in harmony with the general character of the neighborhood.

- (b) *shall not have vehicular and pedestrian traffic of a type and quantity so as to adversely affect the immediate neighborhood;*

The Board finds that the parking demand for the main building will not increase, as the overall number of approved units is not increasing. In fact with the advent of the memory care unit, it is expected that the parking demand in the main building will actually decrease. Further, each cottage has parking that complies with the Bylaw requirements and as such the redistribution of units on-site is matched by the relocation of parking to ensure that no areas are left under parked. The Board previously found that 295 spaces were sufficient for off street parking for 250 units, and over the past thirty plus years, the same has been proved correct. The modification of the language for the Special Permit is intended to allow the Applicant to provide additional parking as it deems necessary. As such, there is no adverse effect on the immediate neighborhood and this condition is satisfied.

- (c) *shall not have a number of residents, employees, customers, or visitors, so as to adversely affect the immediate neighborhood;*

The Board finds that the requested reduction in parking does not have any associated residents, employees, customers, or visitors. As such this criterion is not applicable. The Applicant is only asking that 295 spaces be the minimum to allow flexibility as New Pond Village continues to evolve.

- (d) shall comply with the dimensional requirements applicable to zoning district in which the premises is located, including, without limitation, the applicable lot coverage and buffer zone requirements in Section 5-G;***

The Board finds that the proposed development conforms to all dimensional regulations of the Walpole Zoning Bylaw except for building height and parking stall depth. The Applicant has petitioned the Zoning Board of Appeals for the applicable relief to allow the project to be built as shown on the plans entitled, "Site Development Plans for Proposed Building Additions New Pond Village," prepared by Bohler Engineering, dated February 2, 2019, as may be amended. Said petition is being heard as part of the present case before the Board. Note: parking stall depth is addressed separately below.

- (e) shall not be dangerous to the immediate neighborhood of the premises through fire, explosion, emission of wastes, or other causes;***

The proposed expansion of the main building and construction of four duplex standalone buildings are residential in nature, and therefore the Board finds that the proposed project is unlikely to cause any danger to the immediate neighborhood of the premises through fire, explosion, emissions of wastes or other causes.

- (f) shall not create such noise, vibration, dust, heat, smoke, fumes, odor, glare or other nuisance or serious hazard so as to adversely affect the immediate neighborhood;***

The Board finds that the requested relief is asking for a clarification that the 295 parking spaces is the minimum required parking, there is no danger to the immediate neighborhood though fire, explosion, emission of wastes, or other causes. Accordingly, this criterion is not applicable.

- (g) shall not adversely affect the character of the immediate neighborhood; and***

The Board finds that the allowed parking is sufficient for New Pond Village, however as the RCC evolves, parking counts may increase above 295 and be subsequently reduced back to 295. The requested clarification of the parking reduction provides the Applicant with the flexibility to do so while remaining in compliance with the Special Permit. Therefore, the reduction in required parking enables the Applicant to develop the area in a manner more consistent with the immediate neighborhood and Main Street.

- (h) shall not be incompatible with the purpose of the zoning Bylaw or the purpose of the zoning district in which the premises is located.***

The Board finds that Section 8.1 of the Bylaw states that "the intent of the Parking provisions is to encourage a balance between compact pedestrian-oriented development and necessary car storage." In addition, Section 10-A (1) states in part that the purpose of a RCC is to "promote flexibility in land use planning in order to improve site layouts..." Given the actual traffic generated by New Pond Village, the reduction in required parking to 295 spaces has proven acceptable. In rewording the Special Permit language to state that 295 spaces are a minimum, the requested relief actually brings the RCC Special Permit in line with the current parking regulations, and will provide flexibility to meet future needs.

THIRD VOTE OF THE BOARD:

A motion was made by Mr. Fitzgerald and seconded by Ms. Coffey, that the Board find that the existing parking is pre-existing non-conforming and may be altered to bring the same more into compliance with the requirements of the Zoning By-Law as shown on the plans entitled: "Site Development Plans for Proposed Building Additions New Pond Village," prepared by Bohler Engineering, dated February 2, 2019 last revised June 7, 2019 pursuant to the authority granted the Board by M.G.L. c. 40A § 6.

The vote was 5-0-0 in favor; therefore, the requested alteration of non-conforming parking is hereby granted subject to the following conditions:

1. All parking altered according to this Special Permit may not be altered in the future contrary to the requirements of Section 8 so as to increase the degree of nonconformity with the requirements of Section 8 beyond what is allowed under this grant, unless the same is authorized by way of a Variance granted by this Board.
2. The altered parking area shall contain 26' drive aisles (conforming) and 18' parking spaces (non-conforming).
3. All new parking spaces and aisles shall conform to the requirements of Section 8.

REASONS FOR DECISION

It is the finding of the Board that the existing parking has been in existence since the construction of the site in the late 1980s. As discussed in detail below, the proposed alteration of the area will result in fifty-four (54) parking spaces with a depth of eighteen feet (18') and twenty-six foot (26') wide drive aisles, which brings the parking area more closely into compliance with the Bylaw. As more than ten (10) years have passed since the parking lots were constructed, by operation of law as well as the definitions in the Bylaw, the stalls and aisles have since become non-conforming and, as such are eligible for a Special Permit to alter a non-conformity. As the By-Law is silent as to non-conforming parking dimensions, the Board finds it appropriate to rely on the authority of M.G.L. c. 40A § 6.

FURTHER FINDINGS

1. Section 2: Administration, 2. Special Permits, A. Finding and Determination required that:

Special Permits may be granted by the Board of Appeals and the Planning Board (the Special Permit Granting Authority or "SPGA"), as provided in this Bylaw, only for uses which are in harmony with the purposes and intent of this Bylaw and which shall be subject to any general or specific rules prescribed herein and to any appropriate conditions, safeguards, and limitations on time and use.

The Board finds that a Special Permit to allow the alteration of a non-conforming parking area can be granted so long as the alteration complies with the statutory requirements of M.G.L. c. 40A § 6. The Board also finds that the alteration as proposed by the Applicant and conditioned above has the necessary conditions and safeguards to ensure that the parking area remains in harmony with the purposes and intent of the Bylaw.

2. M.G.L. c. 40A § 6. Finding and Determination required that:

Section 6: Existing structures, uses, or permits; certain subdivision plans; application of chapter.

Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or Bylaw that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

A zoning ordinance or Bylaw may define and regulate nonconforming uses and structures abandoned or not used for a period of two years or more.

The Board finds that proposed parking field to be altered currently contains eighty-one (81) spaces (out of a total of 296 spaces on the site, or about twenty-seven percent (27%) of the total parking area). The existing eighty-one (81) spaces in this parking field range in depth from seventeen feet (17') to eighteen feet (18') with drive aisles ranging in width from twenty-three feet (23') to twenty-five feet (25'). As the current Bylaw requires eighteen and a half foot (18.5') depth and twenty-six foot (26') wide drive aisles, the existing parking field is non-conforming as to these dimensions. The proposed redevelopment will result in the re-striping of this parking field, and the loss of 27 spaces from this area. The resulting parking field will have fifty-four (54) parking spaces with a depth of eighteen feet (18') and twenty-six foot (26') wide drive aisles. Accordingly, the alteration of the non-conforming parking field will actually bring the area more closely into compliance with the Bylaw.

The Board notes that the 27 spaces will be removed from the non-conforming parking field and re-located elsewhere on the site. All relocated spaces will be conforming. In addition, ten (10) new spaces will be added to the site, all of which conform to the dimensional requirements in the Bylaw. Of the total thirty-seven (37) new and relocated spaces, thirteen (13) will be located

adjacent to the cottages, and the remaining twenty-four (24) will consist of one (1) garage space and two (2) driveway spaces for each of the eight (8) cottages.

As previously noted, New Pond Village has been in operation since the late 1980s and the parking has been more than sufficient to meet the needs of its residents, their guests, and the employees. The requested alteration will improve the dimensions for many of the parking spaces and all of the drive aisles in the altered area. In the areas not being altered, the Applicant is maintaining the existing dimensions throughout the parking field that have been adequate for over thirty years. Thus, the proposed alteration will not cause any detriment to the neighborhood. Moreover, all parking is contained on-site with no spillover onto the public ways or the neighborhood, which again prevent the alteration of the parking lot from having any impact on the neighborhood.

In addition to having no impact on the neighborhood, the size of the parking areas allows the Applicant to minimize the impact on the adjacent wetlands by eliminating the requirement to install walls and other man made stormwater control devices. This ability allows the Applicant to more closely follow the best management practices for stormwater management. This change is actually a benefit to the neighborhood and environment, noting that best management practices seek to minimize man-made stormwater control measures in favor of grading and natural measures.

CONSISTENCY

This decision is consistent with the purpose and intent of the Zoning Bylaws.

Said Special Permit is granted pursuant to Massachusetts General Law c. 40A § 9 which provides in pertinent part as follows: "...Zoning ordinances or by-laws shall provide that a special permit granted under this section shall lapse within a specified period of time, not more than three years, which shall not include such time required to pursue or await the determination of an appeal referred to in section seventeen, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause."

Massachusetts General Laws c. 40A, §11 provides in pertinent part as follows: "A special permit, or any extension, modification or renewal thereof, shall not take effect until a copy of the decision bearing the certification of the city or town clerk that 20 days have elapsed after the decision has been filed in the office of the city or town clerk and either that no appeal has been filed or the appeal has been filed within such time, or if it is a special permit which has been approved by reason of the failure of the permit granting authority or special permit granting authority to act thereon within the time prescribed, a copy of the application for the special permit-accompanied by the certification of the city or town clerk stating the fact that the permit granting authority or special permit granting authority failed to act within the time prescribed,

and whether or not an appeal has been filed within that time, and that the grant of the application resulting from the failure to act has become final, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This section shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the 6 month periods provided under the second paragraph of section 6. The fee for recording or registering shall be paid by the owner or applicant."

APPEALS FROM THIS DECISION FOR A SPECIAL PERMIT, IF ANY, SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY DAYS AFTER THE DATE OF FILING OF THE NOTICE OF DECISION IN THE OFFICE OF THE CITY OR TOWN CLERK.

WALPOLE ZONING BOARD OF APPEALS


Robert Fitzgerald, Clerk

cc: Town Clerk	Engineering	Planning Board
Board of Selectmen	Building Inspector	Conservation Commission

This decision was made on July 17, 2019 and filed with the Town Clerk on July 30, 2019.